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In re Application of	:	
BOTT et al.	:	
Serial No.: 09/762,163	:	DECISION ON
PCT App. No.: PCT/GB99/02425	:	
Int'l Filing Date: 23 July 1999	:	PETITION UNDER
Priority Date: 04 August 1998	:	
Attorney Docket No.: 4002-006	:	37 CFR 1.137(b)
For: AUTOMATED IMMUNOASSAY	:	
APPARATUS WITH FLEXIBLE PICK-UP ARM :	:	

This is a decision on applicants' "Petition Pursuant to 37 CFR 1.137(b)", filed on 07 January 2005 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 09 March 2001, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants indicating that the oath or declaration in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the oath or declaration after the 20 or 30 month period, was required.

On 08 July 2002, a Notification of Abandonment (Form PCT/DO/EO/909) was mailed to applicant.

On 07 January 2005, applicants responded to the Notification of Abandonment with the instant petition to revive along with a 3 page executed declaration.

DISCUSSION

A petition under 37 CFR 1.137(b) must be accompanied by (1) a proper response unless it has been previously submitted, (2) the fee required by law for revival of an unintentionally abandoned application (1.17(m)), and (3) a statement that the "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional".

The petition included the petition fee of \$665. The requisite petition fee, effective 08 December 2004, for a petition to revive unintentionally abandoned application is \$1500 (\$750 for a small entity). Applicant did not provide an authorization to charge fees to his deposit account. Without payment of the full petition fee, the petition is dismissed.

CONCLUSION

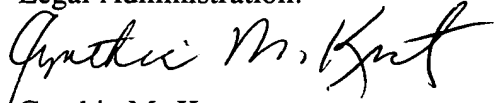
The petition under 37 CFR §1.47(a) is **DISMISSED WITHOUT PREJUDICE**. The

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application remains abandoned.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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